

CASE BT/3-22351/A/PCT

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

André A. DeLoach  
Type or print name

André A. DeLoach  
Signature

8/28/06  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE PCT NATIONAL STAGE APPLICATION OF

Group Art Unit:

JONATHAN HUGHES ET AL.

Examiner:

INTERNATIONAL APPLICATION NO. PCT/EP 04/013252

FILED: November 22, 2004

FOR: MICROORGANISM

U.S. APPLICATION NO: 10/580,448

35 USC 371 DATE: MAY 23, 2006

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 CFR 1.56, Applicants wish to call the Examiner's attention to the references cited on the attached form PTO-1449. A copy of the International Search Report was supplied, when this application entered the U.S. national phase.

U.S. 5,089,411; 4,931,391; 5,705,382; 5,135,858; US2004/0175809; US2004/048348 and US2004/0175810 are substantively cumulative English language counterparts of EP 0 362 829; EP 0 243 967; EP 0 707 061; EP 444 640; WO02/088373; WO02/50297 and WO 02/088371.

As we were unable to obtain an English language abstract/equivalent for SU 1731814 applicant would like to bring to the examiners attention that said Russian reference is discussed in the instant application on page 3.

Copies of the non-U.S. references (that do not have U.S. equivalents) and/or English language abstracts thereof and all articles/journals are enclosed herewith.

The Examiner is requested to consider the foregoing information in relation to this application and indicate that each reference was considered by returning a copy of the initialed PTO 1449 form(s).

Respectfully submitted,



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PTO 1449 form 20 refs. & 2 S. Reports

<b>FORM PTO-1449</b>  <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket Number (Optional) <b>BT/3-22351/APCT</b>	Application Number <b>10/580,448</b>
	Applicant <b>JONATHAN HUGHES ET AL.</b>	
	Filing Date <b>MAY 23, 2006</b>	Group Art Unit

### U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,089,411	2/92	Yamada et al.	435	244	
	3,281,247	10/66	Mieschler	99	9	
	5,827,699	10/98	Yanenko	435	129	
	6,368,804	4/02	Ben-Bassat et al.	435	6	
	5,567,608	10/96	Doi et al.	435	182	
	6,146,861	11/00	Armitage et al.	435	128	
	5,705,382	1/98	Endo et al.	435	260	
	4,931,391	6/90	Enomoto et al.	435	188	
	5,135,858	8/92	Yamada et al.	435	106	
	2004/0175810	9/04	Peterson et al.	435	128	
	2004/0048348	3/04	Murao et al.	435	170	

### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	0 362 829	4/90	Europe			U.S. =	
	0 445 646	9/91	Europe				
	2 077 588	4/97	Russia			Abst.	
	0 243 967	11/87	Europe			U.S. =	
	0 707 061	4/96	Europe			U.S. =	

### OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	Precigou et al; Fems Microbiology Letters, Amsterdam, NL; Vol. 204, No. 1, (2001) pp. 155-161
	Watanabe et al.; Japan Soc. For Bioscience, Biotechnology and Agrochem. Vol. 51, No. 12, (1987), pp. 3193-3199
	Kobayashi et al.; Biochimica et Biophysica Acta. Gene Structure and Expression, Elsevier, Amsterdam, NL, Vol. 1129, No. 1, 12/91

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP §609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.

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	2004/0175809	9/04	Peterson et al.	435	128	

### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	444 640	9/91	Europe			U.S.=	
	0 307 926	3/89	Europe				
	1731814	5/92	Russia				
	02/088373	11/02	PCT/World			U.S.=	

### OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	Ikehata et al., European Journal of Biochemistry, Vol. 181, No. 3, (1989), pp. 563-570
	Ingvorsen et al., Ciba Foundation Symposium, Vol. 140, 1988, pp. 16-31
	English Language abstract No. 1997-488203[45] of RU 2 077 588

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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	02/50297	6/02	PCT/World			U.S.=	
	02/088371	11/02	PCT/World			U.S.=	

### OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	H. Yamada et al.; Agric. Biol. Chem. Vol. 50 (11) pp. 2859-2865 (1986)
	T. Nagasawa et al.; Appl. Microbiol Biotechnol Vol. 34: pp. 783-788 (1991)
	T. Nagasawa et al.; Pure & Appl. Chem. Vol. 67, No. 7, pp. 1241-1256 (1995)

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	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

## OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)

	T. Leonova et al.; Applied Biochemistry and Biotechnology, Vol. 88, (2000), pp. 231-241
	A. Yanenko et al., Proceedings of the Ninth Symposium on the Actinomycetes, (1995), pp. 139-144
	Y. Asano et al.; Agric. Biol. Chem. Vol. 46, (5), pp. 1183-1189 (1982)

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FOREIGN PATENT DOCUMENTS							
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO

  

OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)	
	Chaplin and Bucke; Enzyme Technology (1990)pg. 47 published by Cambridge University Press

  

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